

### Title:

People of the Philippines vs. Eduardo Canastre, 82 Phil. 480 (1949)

### Facts:

1. **Incident Date and Time**: On June 28, 1946, around 1:00 AM, Eduardo Canastre, Gil Sayuco, and two unidentified companions forcefully entered the house of Magdalena Beri in Barrio Batuan, Pototan, Iloilo.
2. **Breaking and Entering**: Canastre directed his flashlight towards the inhabitants as Magdalena questioned their identity. Canastre pointed a gun at Magdalena, threatened her, and tied her to a wall.
3. **Kidnapping and Assault**: Canastre and Sayuco entered the room of 17-year-old Benedicta Beri. They dragged her downstairs underneath a mango tree despite her cries for help.
4. **Rape and Theft**: Canastre and his companions, including Sayuco, raped Benedicta Beri. All four perpetrators, including Canastre and Sayuco, sexually assaulted Benedicta, and subsequently stole a rice bowl, some rice, and four chickens valued at around fifteen pesos.
5. **Defendant's Claim**: Canastre claimed he was at home suffering from diarrhea on the night in question. He also capitalized on the lack of identification of the two unidentified companions to argue reasonable doubt.

### Procedural Posture:

1. **Trial Court Decision**: The Court of First Instance of Iloilo found Canastre and Sayuco guilty of robbery in band with rape, sentencing Canastre to 10 to 17 years of imprisonment and Sayuco to 17 to 20 years. Co-accused Francisco Pasaporte and Gonzalo Fabilona were acquitted due to insufficient evidence.
2. **Appeal**: Only Eduardo Canastre appealed the decision. Sayuco was on the run after escaping detention.

### Issues:

1. **Issue of Guilt**: Whether the evidence presented satisfactorily established Canastre's guilt beyond a reasonable doubt despite the defense's claim of alibi and lack of identification of two other perpetrators.
2. **Credibility of Witnesses**: Whether the testimony of the rape victim, Benedicta Beri, and other prosecution witnesses was credible and sufficient to sustain Canastre's conviction.
3. **Medical Examination**: Whether the lack of lacerations, abrasions, or traces of male

sperm in the medical examination of Benedicta's genital organ undermined the credibility of the rape allegations.

4. **Alibi**: Whether Canastre's alibi was strong enough to raise reasonable doubt regarding his presence at the crime scene.

### ### Court's Decision:

1. **Guilt Affirmation**: The Supreme Court affirmed the trial court's findings, holding Canastre guilty beyond reasonable doubt based on the positive identification by the prosecution witnesses. The clear night and use of a flashlight solidified his identification.

2. **Witness Credibility**: The Court found the victim's account credible. Benedicta's immediate complaint and the medical officer's acknowledgment of her complaint of being raped shortly after the incident bolstered her narrative.

3. **Medical Findings**: The Supreme Court noted that the absence of external signs of rape did not conclusively prove the act did not occur. The medical examination did not reliably negate Benedicta's claim.

4. **Rejection of Alibi**: Canastre's alibi was dismissed, given the strong positive identification and the lack of any compelling evidence that Benedicta could have fabricated the rape allegations against him.

### ### Doctrine:

The case underscores the principle that positive identification by credible witnesses is paramount and can outweigh an alibi. Additionally, the lack of physical signs of sexual intercourse does not conclusively disprove rape when corroborated by consistent testimonial evidence.

### ### Class Notes:

- **Positive Identification**: Testimony of eyewitnesses can outweigh alibi defenses.
- **Credibility of Victims**: Initial complaints and consistent narrations enhance credibility.
- **Rape**: Physical non-evidence (absence of injuries or sperm) is not definitive proof against rape if testimonial evidence is strong.
- **Accessory Penalties**: Sentencing in crimes of such nature includes accessory penalties as prescribed by law.

### **Key Statutes and Provisions**:

- **Reclusion Temporal**: Article 27, Revised Penal Code of the Philippines
- **Rape under Robbery in Band**: Article 294 as amended by RA 8353, Revised Penal Code

### Historical Background:

This case needs to be understood in the post-World War II context in the Philippines, a period when incidents of banditry and heightened crimes were relatively common. The legal system sought to re-establish rule of law and ensure punitive measures against heinous crimes like robbery with rape.